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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,301	04/23/2001	Irah H. Donner	114953.402US2	5047

7590 12/17/2002

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EXAMINER

POINVIL, FRANTZY

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 12/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Allowability

Application No.
09/839,301

Applicant(s)

DONNER

Examiner

Frantzy Poinvil

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course.

THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/23/2001.

2. ☒ The allowed claim(s) is/are 15-55.

3. ☐ The drawings filed on _____ are accepted by the Examiner.

4. ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

5. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

(a) ☐ The translation of the foreign language provisional application has been received.

6. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

8. ☒ CORRECTED DRAWINGS must be submitted.

(a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☒ hereto or 2) ☐ to Paper No. _____.

(b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the examiner.

(c) ☐ including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1 ☒ Notice of References Cited (PTO-892)

3 ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

5 ☒ Information Disclosure Statement(s) (PTO-1449), Paper No(s). 5-9

7 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

9 ☐ Other

2 ☐ Notice of Informal Patent Application (PTO-152)

4 ☒ Interview Summary (PTO-413), Paper No. 14

6 ☒ Examiner's Amendment/Comment

8 ☒ Examiner's Statement of Reasons for Allowance

FRANTZY POINVIL
PRIMARY EXAMINER

403628

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DETAILED ACTION

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

As per claim 21, line 6, "the at least" has been changed to "at least".

As per claim 34, line 5, "the at least" has been changed to "at least".

As per claim 42, line 11, "the at least" has been changed to "at least".

As per claim 44, line 4, "the at least" has been changed to "at least".

As per claim 48, line 4, "the at least" has been changed to "at least".

As per claim 49, lines 1-2, "the at least" has been changed to "at least".

As per claim 51, line 5, "the at least" has been changed to "at least".

As per claim 55, line 10, "the at least" has been changed to "at least".

Authorization for this Examiner's Amendment was given in a telephone interview with Irah Donner September 09, 2002.

Allowable Subject Matter

2. The following is an Examiner's Statement of Reasons for Allowance:

The prior art taken alone or in combination failed to teach or suggest comparing the first information received from said deriving step to the second information received from said retrieving step producing an estimated value of the intellectual property portfolio when the first

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information of the intellectual property portfolio is statistically similar to the second information of one of the representative intellectual property portfolios taken in combination with a computer assisted process for determining an estimated value of an intellectual property as recited in independent claim 15.

The prior art taken alone or in combination failed to teach or suggest comparing the first information derived in said deriving step to the empirical data retrieved from said retrieving step producing and estimated intellectual property worth indicator indicating the worth of the intellectual property portfolio taken in combination as recited in independent claim 28.

The prior art taken alone or in combination failed to teach or suggest comparing the first information derived in said deriving step to the empirical data retrieved from said retrieving step producing an intellectual property worth indicator indicating the worth of the intellectual property as recited in independent claim 41.

The prior art taken alone or in combination failed to teach or suggest comparing the information derived in said deriving step to the quality data retrieved from said retrieving step to determine an intellectual property factor indicating at least one of the financial quality and the financial quantity of the intellectual property portfolio as recited in independent claim 42.

The prior art taken alone or in combination failed to teach or suggest comparing the information derived in said deriving step to the quality data retrieved from said retrieving step producing an intellectual property quality indicator indicating at least one of the estimated quality and quantity of the intellectual property portfolio as recited in independent claim 55.

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Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Breitzman et al (US Pat. No. 6,175,824) disclosed a method and apparatus for choosing a stock portfolio based on patent indicators.

"Competition", Venture Capital Journal, disclosed the analysis and comparison of patents to patenting activities of benchmark US companies (Dialog file 636, Accession No. 01009048).

Ginsberg (EP 573991-A1) disclosed a fixed income portfolio data processor and method using same.


4. **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil, whose telephone number is (703) 305-9779. The examiner can normally be reached on Monday through Friday from 7:30 AM to 6:00 PM.

The fax phone number for this Art Unit is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

FP
16Dec02


Frantzy Poinvil
Primary Examiner
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